

4:00 p.m. Ohio County Community Center, Hartford, Ky

Special call meeting called to order by Judge Executive David Jones. Prayer by Magistrate Jason Bullock. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Absent

Motion made by Esq. Robinson that the Court approve the minutes of the regular meeting on October 27, 2009 as presented (copy on file in Fiscal Court Order Book, Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the bills, claims, payments and transfers as presented (copy on file in Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Treasurer’s Financial Statement for the month of October 2009 as presented (copy on file in Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court reject the sole bid received from Jerry Hoskins in the amount of \$2,851 for the 28’ dovetail trailer (copy attached).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court accept the higher bid from RPR in the amount of \$6,500 for the 48’ Great Dane open-top chip trailer (copies of all bids attached).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court accept the highest bid from Steve Geary in the amount of \$52,000 for the old EMS building and lots located at 108 N. Main Street, Hartford, KY with the money from the sale of the building and lots to be paid on the new EMS building loan (copies of all bids attached).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	No
Burden	Absent
Jones	Yes

Said motion having carried four (4) to one (1) it is so ordered.

Motion made by Judge Jones that the Court approve to go into Closed Session for the discussions of pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into Closed Session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into Closed Session is for discussion of pending litigation.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to go back into Open Session. No other business was discussed or action taken during the Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Bullock that the Court approve to grant the petition requesting that the owners of real property who were formerly served by and whose real property is adjacent to a certain former county road being Daniels Mine Road (also designated at one time as county road C-620 and identified by the Kentucky State Transportation Cabinet as CR-1207). This order grants to the petitioners the use afforded to the petitioners under KRS 178.116(6). The petition shall be filed in the record book of the Ohio County Fiscal Court. The road was closed by order of this court on August 25, 2009 (copy of petition attached).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to remove Project ID#506-De-icing Equipment/\$43,300 from HB 410 line-item single-county coal severance fund appropriations. Pending approval from DLG to remove the project, the Court will adopt a Resolution to take the \$43,300 and apply the money toward the purchase of a new Pothole Patcher, with the balance of the purchase price to be borrowed for a term of 5 years and the total price of the pothole patcher not to exceed \$200,000.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the written request from Ohio County Balefill, Inc. to allow a reduction of the host fee for waste delivered from only the City of Hopkinsville from the current rate of \$1.50 per ton to the rate of \$0.75 per ton in their Request for Proposal to the Hopkinsville Solid Waste Authority under the provisions outlined in the RFP for a contract term of five (5) years beginning January 1, 2010 (copy of letter attached).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	No
Bullock	Yes
Robinson	No
Keown	Yes
Burden	Absent
Jones	Yes

Said motion having carried three (3) to two (2) it is so ordered.

Motion made by Judge Jones that the Court approve the following Legislative Order:

LEGISLATIVE ORDER

The Ohio County Fiscal Court hereby approves the Ohio County Jailer’s participation in the Uniform Schedule of Bail Program (both the pilot and permanent programs) in accordance with any schedules of Bail adopted by the Kentucky Administrative Office of the Courts, the Ohio Circuit Court, and the Ohio District Court.

This authorization is made in accordance with the requirements of KRS 431.5305.

This 16th day of November, 2009.

VOTE:	<u>YES</u>	<u>NO</u>
MINTON	X	
ROBINSON	X	
BULLOCK	X	
BURDEN	ABSENT	
KEOWN	X	
JONES	X	

DAVID JONES, JUDGE EXECUTIVE

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to authorize the Judge Executive to sign a three (3) year Agreement with St. Joseph’s Peace Mission for Children, Inc. for the temporary placement of juveniles (copy of Agreement attached).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

SPECIAL CALL

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NOVEMBER

2009

Motion made by Esq. Keown that the meeting is adjourned.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk